

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

STEPHEN McCOLLUM, and SANDRA §  
 McCOLLUM, individually, and STEPHANIE §  
 KINGREY, individually and as independent §  
 administrator of the Estate of LARRY GENE §  
 McCOLLUM, §

PLAINTIFFS

V.

CIVIL ACTION NO.

4:14-cv-3253

## JURY DEMAND

BRAD LIVINGSTON, JEFF PRINGLE, §  
RICHARD CLARK, KAREN TATE, §  
SANDREA SANDERS, ROBERT EASON, the §  
UNIVERSITY OF TEXAS MEDICAL §  
BRANCH and the TEXAS DEPARTMENT OF §  
CRIMINAL JUSTICE. §

DEFENDANTS

## Plaintiffs' Consolidated Summary Judgment Response Appendix

# EXHIBIT 225

**Texas Department of Criminal Justice**  
**Hutchins Unit**  
**Risk Management Department**  
*Inter-Office Communication*

To: Warden Jeff Pringle

Date: 07/13/2011

From:  R Storie URM

Subject: Dormitory temps

Random samplings of temperatures taken in the Offender housing areas reflect a 2 to 3 degree difference from the outside Unit temperature. These temperature recordings in the Offender living areas are 2 to 3 degrees lower than the outside temperature. Sample readings are taken from different areas of the Unit. The following are some examples...

C-5 = 101deg.  
C-6 = 102 deg.  
C-7 = 101 deg.  
C-8 = 100 deg.

These temps have been taken at approximately 2:00 PM on 7/13/2011.  
The outside temperature was 104 deg with 48 % humidity at 2:00 PM on 7/13/2011.  
The heat index for this reading is 123 (outside).

**OPEN RECORDS**

Plaintiffs' MSJ Appx. 6057

001383

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# EXHIBIT 226

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE**  
**Correctional Institutions Division**  
*Inter-Office Communications*  
**Hutchins Unit**

**To:** Maj. T. May

**Date:** 7/22/2011

**From:** R. Storie URMC

**Subject:** B-2 and C-2 Dorm Temps

At approximately 7:45 AM on 7/22/2011 I took temperature readings on B-2 Building and C-2 Building using a hand held infrared temperature instrument.

B-5 I.R. temperature reading was 84 degrees.

B-6 I.R. temperature reading was 84 degrees.

B-7 I.R. temperature reading was 84 degrees.

B-8 I.R. temperature reading was 84 degrees.

C-5 I.R. temperature reading was 86 degrees.

C-6 I.R. temperature reading was 86 degrees.

C-7 I.R. temperature reading was 86 degrees.

C-7 I.R. temperature reading was 86 degrees.

Note: The McQuay air handling unit that supplies fresh air to B-6 and B-7 Dorms is not functioning. WO # 5524 was generated on 7/15/2011 to repair McQuay unit.

Outside Backgate temperature reading was 84 degrees at 8:00 AM with 68 % humidity.

**OPEN RECORDS**

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# EXHIBIT 227

Date: 07/22/2011 03:27  
From: GINA STOKES  
To: HUTCHINS NURSING STAFF(E); HUTCHINS ALL PROVIDERS(E);  
Subject:  
Re: LARRY MCCOLLUM

PATIENT: MCCOLLUM, LARRY TDCJ #: 1721640 FACILITY:  
HUTCHINS (HJ)

HE WAS SENT OUT 911. HE WAS HAVING A SEIZURE ON TOP BUNK AND SECURITY COULD NOT  
GET HIM DOWN SAFELY. NO HISTORY SEEN OF SEIZURES.  
FOLLOW UP ON HIS RETURN.HE WAS SENT TO ER AT PARKLAND HOSPITAL.

THANKS,  
CRAIN TRIAGE

**MCCOLLUM 004**

Plaintiffs' MSJ Appx. 6061

UNITED STATES DISTRICT COURT  
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# EXHIBIT 228

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE**  
**Correctional Institutions Division**  
*Inter-Office Communications*  
**Hutchins Unit**

To: All concerned

Date: 7/29/2011

From: R. Storie URM

Subject: Dorm temp, fans and mattresses

Proper fresh air circulation in the Offender housing areas is achieved by a McQuay air supply unit. This unit pulls in fresh air from the outside and forces it into the Offender living area. The high efficiency gas and smoke removal fan is being utilized to force additional fresh air into the Offender living areas. Rooftop mounted exhaust fans pull out stale air. In addition to this system two wall mounted fans assist in air circulation.

I have completed an inspection of all Offender living areas on 7/29/2011 for the following...

Environmental conditions which includes temperature, fresh air supply and circulation. Mattress availability and cool water supply from the portable igloos have also been verified.

Outside temperature @ 10:00 AM = 92 deg

A-1 = 91 deg @ 10:00 AM

A-2 = 91 deg

A-3 = 91 deg

A-4 = 92 deg

A-5 = 92 deg

No fresh air supply from Mc Quay unit. W.O. # 5452

A-6 = 91 deg

A-7 = 91 deg

A-8 = 92 deg

No fresh air supply from Mc Quay unit

B-1 = 90 deg

B-2 = 90 deg

B-3 = 90 deg

B-4 = 90 deg

**OPEN RECORDS**



F-1 = 90 deg  
F-2 = 90 deg  
F-3 = 90 deg  
F-4 = 90 deg

Outside temperature at 12:15 PM = 96 deg

C-1 = 96 deg  
C-2 = 96 deg  
C-3 = 96 deg  
C-4 = 96 deg

C-5 = 95 deg  
C-6 = 97 deg  
C-7 = 97 deg  
C-8 = 97 deg

Missing wall mounted fan. W.O. # 4952

D-1 = 96 deg  
D-2 = 98 deg  
D-3 = 97 deg  
D-4 = 97 deg

E-1 = 96 deg  
E-2 = 97 deg  
E-3 = 97 deg  
E-4 = 97 deg

K-1 = 75 deg  
K-2 = 76 deg  
K-3 = 75 deg  
K-4 = 75 deg  
K-5 = 75 deg

Outside temperature at 2:00 PM was 105 deg (inspection complete).

**OPEN RECORDS**

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# EXHIBIT 229

# TEXAS DEPARTMENT OF CRIMINAL JUSTICE

## Risk Management Program



### EXECUTIVE SUMMARY

### EMPLOYEE AND OFFENDER INJURIES AND

### WORKERS' COMPENSATION CLAIMS COST

### ANNUAL REPORT FY2011

Robert C. Warren  
Risk Management Specialist V  
Risk Management  
P. O. Box 99  
Huntsville, Texas 77342-0099  
(936) 437-4806  
(936) 437-4812 (fax)  
<http://www.tdcj.state.tx.us/adminrvw/adminrvw-riskmgt.htm>

## Overview

The following outcome measures are provided for your review. The statistical information contained in the TDCJ Risk Management Executive Summary is derived from injury data reported by TDCJ Unit Risk Managers, in conjunction with the State Office of Risk Management (SORM) Workers' Compensation Division. SORM is the workers' compensation insurance carrier for TDCJ.

### Workers' Compensation Fiscal Year-to-Date Expenditures:

August 2010: \$ 14,118,170.55

August 2011: \$ 15,312,794.32 (Increased by \$1,194,623.77)

#### Employee Injuries:

August 2010: 441

August 2011: 410 (Decreased by 31)

#### Predominate causes of employee injuries for August 2011:

- Slips, trips, or falls (82 combined for 20%)
- Struck by or against (74 combined for 18%)
- Offender assault (64 for 16%)
- Overexertion (45 for 11%)
- Caught in, on or between (37 for 9%)
- Weather related (37 for 9%)

#### Units reporting the most employee injuries:

- Polunsky (18)
- Estelle and Coffield (17 each)
- Crain (14)
- McConnell (13)
- Young Medical (12)
- Beto (11)

#### Offender Injuries:

August 2010: 1,322

August 2011: 1,136 (Decreased by 186)

#### Predominate causes of offender injuries for August 2011:

- Struck by or against (307 combined for 27%)
- Slips, trips, or falls (191 combined for 17%)
- Offender assault (189 for 17%)
- Self-inflicted (119 for 10%)
- Overexertion (79 for 7%)
- Contact w/temperature extremes (72 for 6%)

#### Units reporting the most offender injuries:

- Montford (34)
- Michael, Stiles, and Clements (31 each)
- Crain (27)
- Ramsey (26)
- Hobby (24)
- Darrington (23)

Year-to-date employee Injury Frequency Rate (IFR): **11.3**

Year-to-date claims Injury Frequency Rate (IFR): **5.0**

Employee Injury Frequency Rate (IFR): The IFR is calculated by multiplying the number of injuries by 200,000 (exposure of 100 employees working 40 hours per week for 50 weeks per year) and dividing that product by the total hours worked by all employees during the fiscal year to date (the number of employees listed on Monthly Report "Total Employee Counts by Payroll Distribution Code" {ID PAY77PDC} multiplied by the product of 168 {average hours worked per month} multiplied by the number of months worked in this fiscal year-to-date).

Claims Injury Frequency Rate (IFR): The IFR for accepted claims is calculated by multiplying the number of accepted claims by 100 (per 100 employees working 40 hours per week for 50 weeks per year) and dividing that product by the average monthly strength.

**NOTE:** Please notify this office if you do not wish to receive this report.

## FY2011 YTD Employee Injuries

														FY10	FY11	
	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug		TOTAL	Average Monthly Injuries Sep-Aug	Average Monthly Injuries Sep-Aug
Region 1	79	55	80	54	55	58	53	57	54	87	79	80	791	72	66	12.2
Region 2	33	47	32	39	42	71	53	49	56	72	55	70	619	56	52	11.3
Region 3	64	59	57	46	55	67	69	39	65	81	46	70	718	62	60	11.3
Region 4	80	33	41	47	47	67	67	59	50	59	76	64	690	59	58	14.3
Region 5	64	44	56	41	41	53	56	41	48	47	41	39	571	61	48	10.2
Region 6	64	62	50	47	54	58	48	57	63	69	56	64	692	64	58	12.4
Parole *	6	11	4	6	3	12	9	8	12	3	13	1	88	7	7	3.3
Administration	35	46	24	18	26	23	31	19	19	31	28	22	322	20	27	11.2
Totals	425	357	344	298	323	409	386	329	367	449	394	410	4,491	400	374	11.3

## Employee Injuries by Cause

														TOTAL	FY10	FY11	
	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Average Monthly Injuries Sep-Aug		Average Monthly Injuries Sep-Aug	Injury Frequency Rate	
Animal Bite	0	3	0	1	1	0	1	0	0	1	0	3	10	0	1	0.0	
Bodily Reaction	3	0	4	4	6	3	2	3	4	5	6	6	46	5	4	0.1	
Caught In/On/Btwn	32	34	20	23	24	27	23	34	29	36	34	37	353	37	29	0.9	
Cont w/Chemicals	6	5	7	1	6	3	3	5	6	6	1	4	53	4	4	0.1	
Contact w/Electricity	2	1	0	1	1	1	1	0	2	1	2	2	14	1	1	0.0	
Cont w/Temp Extr	5	1	2	0	6	3	3	1	3	1	4	2	31	3	3	0.1	
Exp Envirmnt Hzd	3	6	1	5	6	3	5	1	6	4	5	11	56	4	5	0.1	
Fall Different Level	12	11	15	18	12	20	21	12	9	16	12	13	171	19	14	0.4	
Fall Same Level	53	38	32	40	38	130	56	34	32	36	34	38	561	49	47	1.4	
Horse Related	5	2	6	1	3	1	6	6	6	12	4	4	56	4	5	0.1	
Insect Bite	27	17	10	11	10	7	16	18	15	25	17	19	192	12	16	0.5	
Medical Condition	18	17	9	5	8	8	6	9	13	18	10	16	137	9	11	0.3	
Offender Assault	64	47	63	46	55	60	63	71	57	102	72	64	764	81	64	1.9	
Overexertion	53	41	44	31	44	39	49	36	52	49	46	45	529	42	44	1.3	
Slip-Not a Fall	35	28	21	24	20	32	28	26	35	21	22	31	323	28	27	0.8	
Staff-Staff Assault	1	0	1	2	1	1	1	0	0	1	3	1	12	1	1	0.0	
Struck Against	67	78	76	56	57	39	65	52	67	56	64	49	726	62	61	1.8	
Struck By	28	20	32	28	22	18	34	16	27	26	31	25	307	30	26	0.8	
Vehicular	7	6	1	1	3	4	3	3	4	5	7	3	47	5	4	0.1	
Weather Related	4	2	0	0	0	10	0	2	0	28	20	37	103	6	9	0.3	
Totals	425	357	344	298	323	409	386	329	367	449	394	410	4,491	400	374	11.3	

\* Of the 1 Parole injury reported for this current month, 0 were attributed to Texas Board of Pardons and Paroles employees.

**Employee Injuries Resulting in a Workers' Compensation Claim Accepted by SORM**

	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	TOTAL	FY10 Average Monthly Sep-Aug	FY11 Average Monthly Sep-Aug	Claims Frequency Rate
Region 1	42	22	42	25	23	27	26	24	19	35	32	40	357	32	30	5.5
Region 2	11	15	14	15	17	31	28	20	30	30	21	37	269	22	22	4.9
Region 3	25	17	25	22	23	30	25	17	24	43	31	30	312	25	26	5.0
Region 4	31	12	17	20	21	33	28	24	29	22	21	23	281	29	23	5.9
Region 5	33	10	24	14	13	29	26	23	16	21	20	19	248	21	21	4.5
Region 6	28	24	22	17	20	26	21	19	20	33	31	29	290	27	24	5.2
Parole	5	9	7	3	5	7	7	4	8	5	7	3	70	5	6	2.6
Administration	14	12	17	8	20	12	17	10	10	13	15	4	152	10	13	5.3
<b>Totals</b>	<b>189</b>	<b>121</b>	<b>168</b>	<b>124</b>	<b>142</b>	<b>195</b>	<b>178</b>	<b>141</b>	<b>156</b>	<b>202</b>	<b>178</b>	<b>185</b>	<b>1,979</b>	<b>172</b>	<b>165</b>	<b>5.0</b>

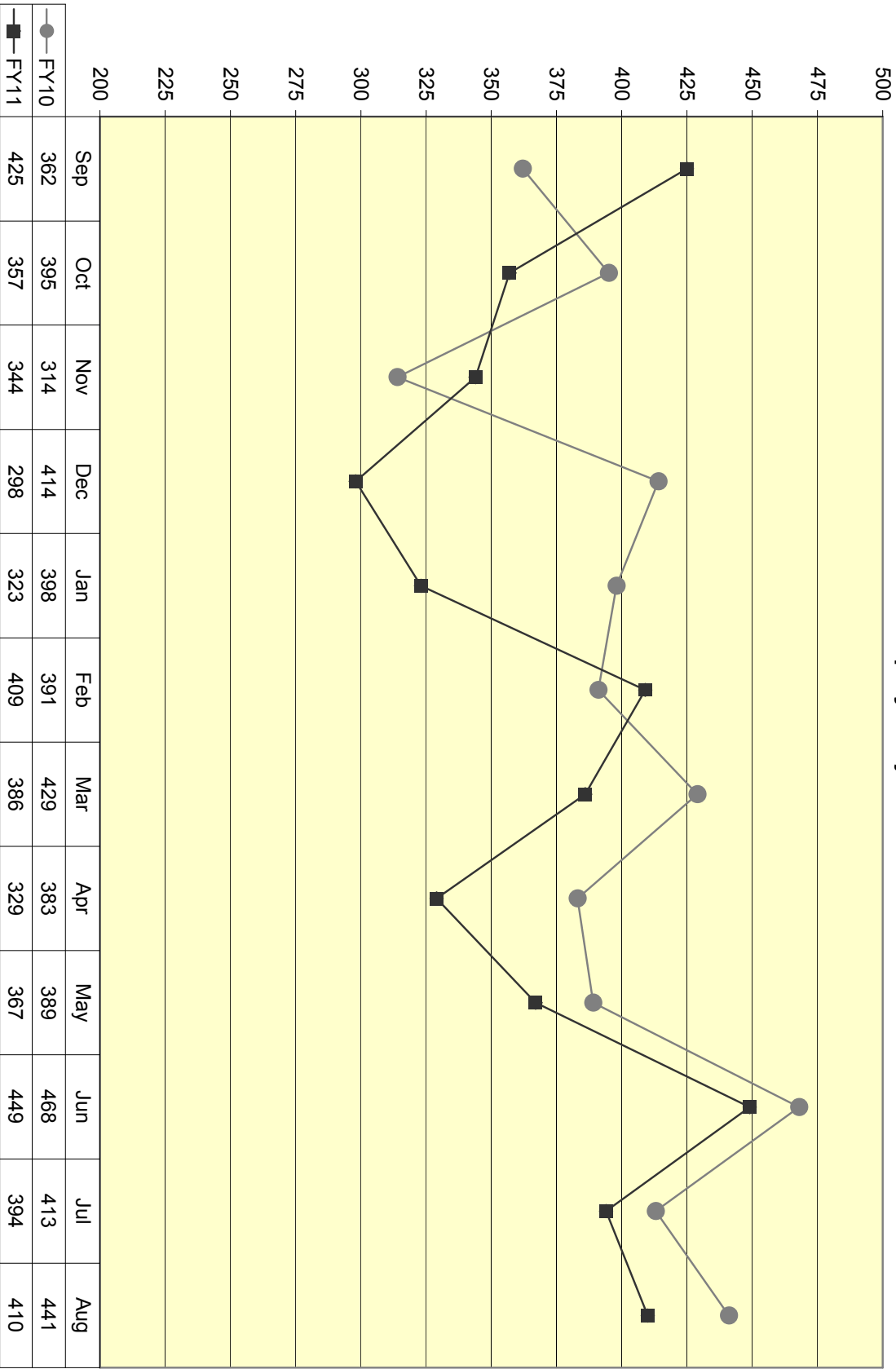
Numbers are shown in the month the claim was filed with SORM, which may not be the month in which the injury occurred.

**Workers' Compensation Claims Cost Data**

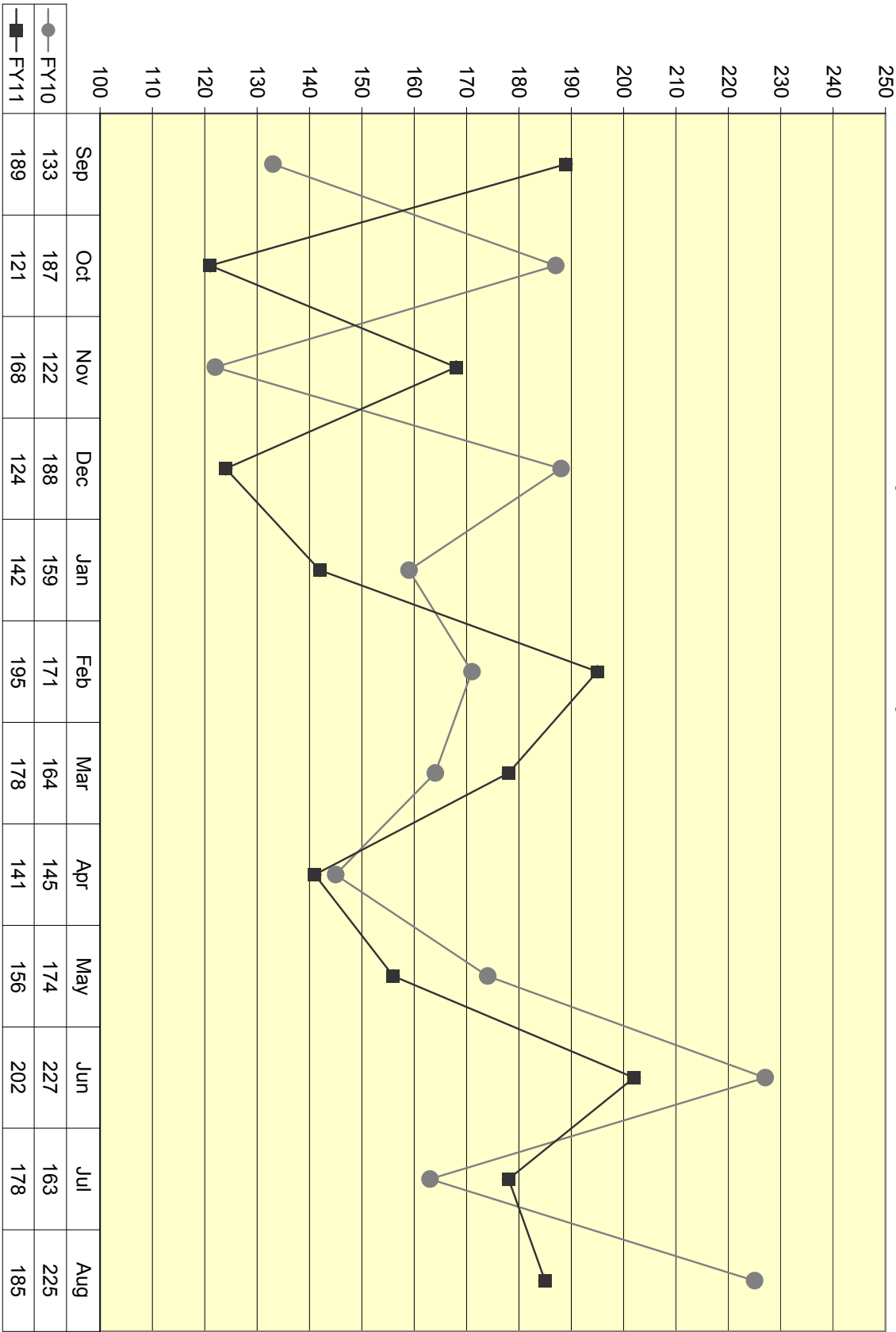
	Total Claims Cost FYTD	Total Claims Cost FYTD Filed Prior to FY10	Total Claims Cost FYTD Filed In FY10-11	Average Cost per Claim	# of Claims
Region 1	\$2,640,370.75	\$954,025.63	\$1,686,345.12	\$5,207.83	507
Region 2	\$2,282,040.06	\$763,457.14	\$1,518,582.92	\$5,579.56	409
Region 3	\$2,961,895.12	\$772,087.40	\$2,189,807.72	\$6,495.38	456
Region 4	\$2,283,924.62	\$585,719.62	\$1,698,205.00	\$5,167.25	442
Region 5	\$1,647,102.79	\$316,471.64	\$1,330,631.15	\$4,976.14	331
Region 6	\$1,736,995.38	\$758,383.63	\$978,611.75	\$4,125.88	421
Parole	\$566,128.66	\$128,122.17	\$438,006.49	\$6,087.40	93
Administration	\$1,194,336.94	\$362,658.68	\$831,678.26	\$6,709.76	178
<b>Totals</b>	<b>\$15,312,794.32</b>	<b>\$4,640,925.91</b>	<b>\$10,671,868.41</b>	<b>\$5,397.53</b>	<b>2,837</b>

The claims cost YTD figures reflect current FY expenditures, including claims filed in past years that are still incurring costs. They do not include past expenditures for past claims that are currently inactive and no longer incurring costs.

**Risk Management Program  
Fiscal Year Comparison of  
Total Employee Injuries**



**Risk Management Program  
Fiscal Year Comparison of  
Accepted Workers' Compensation Claims**





## FY2011 YTD Offender Injuries

														TOTAL	FY10	FY11	
	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Average Monthly Injuries Sep-Aug		Average Monthly Injuries Sep-Aug	Average Injuries per 100 Offenders	
Region 1	133	123	115	79	88	106	118	118	164	198	137	181	1,560	130	130	0.5	
Region 2	129	150	148	109	142	105	125	150	149	204	143	164	1,718	182	143	0.6	
Region 3	133	124	91	82	107	91	137	144	127	141	168	164	1,509	123	126	0.5	
Region 4	132	97	102	99	103	97	129	103	142	153	136	126	1,419	120	118	0.5	
Region 5	190	163	154	159	162	141	186	166	170	185	180	187	2,043	205	170	0.8	
Region 6	171	165	149	146	127	112	157	129	154	176	154	195	1,835	150	153	0.7	
Private Fac	134	137	113	72	90	92	88	101	104	100	126	119	1,276	102	106	0.6	
Totals	1,022	959	872	746	819	744	940	911	1,010	1,157	1,044	1,136	11,360	1,013	947	0.6	

## Offender Injuries by Cause

														TOTAL	FY10	FY11	
	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Average Monthly Injuries Sep-Aug		Average Monthly Injuries Sep-Aug	Average Injuries per 100 Offenders	
Animal Bite	4	5	4	2	3	1	1	3	4	6	2	3	38	3	3	0.0	
Bodily Reaction	8	3	7	3	3	1	4	4	4	10	14	22	83	8	7	0.0	
Caught In/On/Btwn	39	49	43	34	39	32	39	44	52	56	45	46	518	50	43	0.0	
Cont w/Chemicals	17	14	11	17	13	13	8	12	6	14	16	22	163	12	14	0.0	
Contact w/Electricity	1	2	0	1	0	0	1	0	2	2	2	4	15	1	1	0.0	
Cont w/Temp Extr	84	79	63	48	55	63	67	61	73	82	81	72	828	77	69	0.0	
Exp Envirmnt Hzd	2	2	0	0	0	0	0	0	1	1	1	0	7	1	1	0.0	
Fall Different Level	37	24	41	33	38	33	35	35	54	30	34	45	439	40	37	0.0	
Fall Same Level	91	96	74	70	96	80	92	91	94	105	102	101	1,092	99	91	0.1	
Horse Related	4	2	2	3	1	2	6	7	9	7	4	6	53	4	4	0.0	
Insect Bite	31	18	9	4	1	3	10	3	17	18	13	21	148	15	12	0.0	
Medical Condition	7	15	14	11	16	9	15	10	11	26	12	17	163	14	14	0.0	
Offender Assault	137	132	146	115	138	118	121	152	145	182	158	189	1,733	144	144	0.1	
Overexertion	70	65	69	52	57	48	66	64	85	93	67	79	815	69	68	0.0	
Self-Inflicted	100	75	79	96	87	86	106	94	92	128	116	119	1,178	93	98	0.1	
Slip-Not a Fall	55	65	44	37	39	48	52	60	48	73	60	45	626	54	52	0.0	
Struck Against	198	193	167	126	149	137	187	162	177	181	181	198	2,056	196	171	0.1	
Struck By	120	120	99	94	83	68	126	106	134	133	119	109	1,311	125	109	0.1	
Vehicular	8	0	0	0	1	0	1	1	0	0	2	1	14	1	1	0.0	
Weather Related	9	0	0	0	0	2	3	2	2	10	15	37	80	6	7	0.0	
Totals	1,022	959	872	746	819	744	940	911	1,010	1,157	1,044	1,136	11,360	1,013	947	0.6	

Numbers are shown in the month the injury was entered in the Risk Management Safety Incident Reporting System, which may not be the month in which the injury occurred.

## Definitions of Injury Causes

**Animal Bite** – bite or scratch from a dog, cat, snake, rat, and other similar situations

**Bodily Reaction** - change in body function caused by allergic reaction, e.g., poison ivy

**Caught In, On, or Between** - a pinch point type injury that involves mashing or squeezing, e.g., caught finger in door, caught finger in between pulley, door shut on foot

**Contact with Chemicals** – splashed by liquid chemicals, dry particles inhaled, overcome by fumes of chemical agents, natural gas, vehicle exhaust, ammonia, insecticide, and other similar situations

**Contact with Electricity** - electrical shock from bad plug and other similar situations

**Contact with Temperature Extremes** - burns caused by heat or cold, e.g., burned hand in deep fryer, oven, and other similar situations

**Exposure to Environmental Hazards** - hazards such as radiation, exposure to infectious diseases, and other similar situations

**Fall on Different Level** - fall off of object that has to be climbed or stepped on, e.g., stairs, fell out of bunk, fell off picket ladder, fell stepping down from truck or trailer, and other similar situations

**Fall on Same Level** - fall while standing, walking or sitting, e.g., fell out of chair, slipped on wet floor and fell, tripped over some object and fell, and other similar situations

**Horse Related** - thrown by horse, fall off horse, and other similar situations

**Insect Bite** - bitten or stung by spiders, wasps, ants, unknown insects, and other similar situations

**Medical Condition** – resulting from pre-existing medical conditions, e.g., seizures, chest pains, dizziness, and other similar situations

**Offender Assault** - physically attacked by offender, hit, bit, struck by liquid, and other similar situations, or injuries resulting from attacking an offender, e.g., bruised or scraped knuckles

**Overexertion** - caused by body movement, sprain, strain or muscle or skeleton type injury, e.g., bending, lifting, pushing, pulling, turning, walking, and other similar situations

**Self-Inflicted** - suicide attempt, cutting for purposes of self-mutilation, tattooing, and other similar situations

**Slip (Not a Fall)** - a slip or trip causing pulled muscles or strains that does not result in a fall

**Staff on Staff Assault** - assault by co-worker

**Struck Against** - part of body hitting an object, e.g., walking into a fixed object, sticking finger with tattoo needle, bumped into rail, cut hand on wire, and other similar situations

**Struck By** - moving or falling object hitting the body, e.g., lid fell on arm, hit by ball, foreign object in eye, and other similar situations

**Vehicular** - injury received as a driver or passenger in vehicle or trailer and other similar situations

**Weather Related** - extremes in weather temperatures, e.g., heat exhaustion, sunburn, frostbite, and other similar situations

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

STEPHEN McCOLLUM, and SANDRA §  
 McCOLLUM, individually, and STEPHANIE §  
 KINGREY, individually and as independent §  
 administrator of the Estate of LARRY GENE §  
 McCOLLUM, §

PLAINTIFFS

V.

CIVIL ACTION NO.

4:14-cv-3253

## JURY DEMAND

BRAD LIVINGSTON, JEFF PRINGLE, §  
RICHARD CLARK, KAREN TATE, §  
SANDREA SANDERS, ROBERT EASON, the §  
UNIVERSITY OF TEXAS MEDICAL §  
BRANCH and the TEXAS DEPARTMENT OF §  
CRIMINAL JUSTICE. §

DEFENDANTS

## Plaintiffs' Consolidated Summary Judgment Response Appendix

# EXHIBIT 230

----- SYSM INBASKET MESSAGE REVIEW ----- 2  
User ID: RST0054 01:31pm - Thu, Aug 04, 2011  
Enter Command ==>

To: RST0054 - STORIE, ROY Message ID: 956987  
From: RST0054 - STORIE, ROY Date Sent: 08/04/11  
Subject: DORM TEMPS Priority: 000 Time Sent: 07:44am

WARDEN PRINGLE

THE FOLLOWING DORM TEMPS HAVE BEEN RECORDED FOR 8/03/2011.

THE OUTSIDE TEMPERATURE AT 11:00 AM WAS 101 DEG.

C-1 = 102 @ 11:00 AM

C-2 = 100 " " "

C-3 = 101 " " "

C-4 = 101 " " "

THE OUTSIDE TEMPERATURE AT 2:00 PM WAS 112 DEG.

A-5 = 102 @ 2:00 PM

A-6 = 101 " " "

A-7 = 102 " " "

A-8 = 103 " " "

COMMANDS: Ans TRa Read DEFer FILE POFt EDit DEL PUT QUE DCal Print Help End

OPEN RECORDS



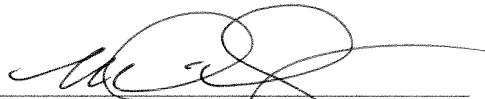
BUSINESS RECORDS DECLARATION OF  
MICHAEL MACKEY, WARDEN

"I am over 21 years of age, of sound mind, capable of making this declaration, and personally acquainted with the facts herein stated.

"I am the custodian of records for the Hutchins State Jail of the Texas Department of Criminal Justice ("TDCJ"). Attached are true and correct copies of various heat-related Inter-Office Communications and Emails from the Hutchins unit sent during July, August, and September of 2011, records which are kept by the TDCJ in the regular course of its business activity. The entries of such records were made as a regularly conducted activity and a regular practice of the TDCJ, and were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters."

"My name is Michael Mackey, and I am an employee of the TDCJ, a governmental agency. I am executing this declaration as part of my assigned duties and responsibilities. I declare under penalty of perjury that the foregoing is true and correct."

Executed in Dallas County, State of Texas, on the 11 day of December, 2015.

A handwritten signature in black ink, appearing to read 'Mc Mackey', written over a horizontal line.

Michael Mackey, Senior Warden  
Hutchins State Jail  
Texas Department of Criminal Justice

**Texas Department of Criminal Justice**  
**CORRECTIONAL INSTITUTIONS DIVISION**  
**Inter-Office Communication**

To: All ConcernedDate: August 4, 2011From: Jeff Pringle  
Senior Warden, Hutchins UnitSubject: 30 Minute Medical Checks

The offenders listed have been identified as **no temp extremes and no direct sunlight**. Due to the extreme heat conditions these offenders must be checked by a security staff member every thirty minutes. During the day, employees must ask the offender how he feels and determine from his response that he is not suffering from a heat illness. If the offender appears disoriented or is unresponsive medical is to be called immediately to respond and the offender should be removed from the area for treatment. (Suggested treatment: have them drink water, sprinkle water on them, put a wet towel on the back of the neck and move them to an a/c cooled room.) If the offender is sleeping staff will observe the offender to make sure he is alive, breathing and shows no signs of heat illness (review Recognition of Heat Illness card). Attached is a form for the thirty minute checks. Fill out the Building and Dorm at the top, as well as, Name, TDCJ# and bunk# for each offender. One sheet per dorm if there are more than six in the dorm then use a second sheet. Do not put more than one dorm on a sheet. Third Shift will turn in the completed forms each morning to Capt. Session.

~~CONFIDENTIAL~~

<u>C5 Dorm</u>	<u>TDCJ#</u>	<u>Bunk#</u>
Wix, Edward	1723502	C5-05
Juarez, Hilardo	1722765	C5-08
Reid, Uris	1723078	C5-18
Washington, Tommy	1724233	C5-27
Hudson, Willie	1722801	C5-31
Biggers, Dewayne	1722761	C5-38

<u>C6 Dorm</u>	<u>TDCJ#</u>	<u>Bunk#</u>
Wright, Phillip	1722781	C6-11
Thomas, Ricky	1723276	C6-17
Burnfield, Demetra	1723256	C6-27
Quarte, Israel	1721636	C6-42
Turner, Revenskin	1722298	C6-55

<u>C7 Dorm</u>	<u>TDCJ#</u>	<u>Bunk#</u>
Amador-Hernandez, Jorge	1722784	C7-15
Clayton, Artez	1721389	C7-58

<u>C8 Dorm</u>	<u>TDCJ#</u>	<u>Bunk#</u>
Hill, Bobby	1723270	C8-11
Emanuel, Terry	1722795	C8-18
Hendrix, Dennis	1723485	C8-21
Anderson, Howard	1722785	C8-31
Mitchell, Gregg	1724223	C8-45

\* *Medical*  
 Plaintiffs' MSJ Appx. 6078

McCollum 06539





**From:** Roy Storie/Admin\_Review\_&\_Risk\_Mgmt/TDCJ  
**To:** Jeff Pringle/Institutional/TDCJ@TDCJ  
**cc:** Roy Storie/Admin\_Review\_&\_Risk\_Mgmt/TDCJ@TDCJ

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**Date:** Friday, August 05, 2011 03:05PM  
**Subject:**

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Warden Pringle

The Risk Management Office is monitoring 3 Buildings a day for temperatures and fresh air supply.

The following temps were recorded on 8/04/2011 at 2:30 PM... (outside temp 110)

A-5 103 Deg  
A-6 105 Deg  
A-7 103 Deg  
A-8 106 deg

The following temps were recorded on 8/04/2011 at 7:30 PM... (outside temp 111)

A-1 103 deg  
A-2 103 deg  
A-3 102 deg  
A-4 102 deg

The following temps were recorded on 8/05/2011 at 10:00 AM... (outside temp 95)

F-4 92

A-1 96  
A-2 96  
A-3 96  
A-4 96

The following temps were recorded on 8/05/2011 at 2:00 PM... (outside temp 106)

B-1 102  
B-2 102  
B-3 103  
B-4 101

**OPEN RECORDS**